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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/726,239

11/29/2000

James F. Munro

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21005

7590

05/05/2004

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EXAMINER

LEE, Y MY QUACH

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/726,239

Applicant(s)

MUNRO ET AL. *ck*

Examiner

Y Quach Lee

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2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.  
4a) Of the above claim(s) 13-15, 19-26 and 34 is/are withdrawn from consideration.  
5) ☒ Claim(s) 27-33 is/are allowed.  
6) ☒ Claim(s) 1, 2, 4, 10-12, 17, 18, 35 and 36 is/are rejected.  
7) ☒ Claim(s) 3, 5-9 and 16 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/9/03.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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***DETAILED ACTION***

***Response to Arguments***

1. Applicant's arguments filed February 6, 2004 with respect to claims 1, 2, 4, 10 to 12, 17, 18 and 36 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Objections***

2. Claim 35 is objected to because of the following formalities: In claim 35, line 4, there is no clear antecedent basis for "the prism". It should be changed to --the prism array--. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 35 is rejected under 35 U.S.C. 102(b) as being anticipated by Hirmer et al. (prior art cited by applicant).

Hirmer et al. show a light source (38), a light guide (610) receiving light radiating from the light source, a prism array for redirecting light, the prism array including a first group including a plurality of prisms (46, column 4, lines 60 to 61 state that the prisms can be parallel linear facets extending through the area between the facets 20) tilted in a first direction (figure 6, the prisms 46 tilted from top left to bottom right), a second group including a plurality of prisms (46) tilted in a second direction (figure 6, the prisms 46 tilted from the top right to the bottom left), and the first and second groups being disposed along the light guide in an alternating fashion.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 4, 10 to 12, 17, 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanamori.

Hanamori discloses a light source (3), a substantially solid lens (5) readable as a light guide since the motion of the light is being redirected or guided by this lens, a prism array (6, 7) for redirecting the light in a first direction, the prism array including a cross sectional profile (figures 2B, 3B) that periodically alternates orientation along the light guide, the prism array including peaks and valleys that form the cross sectional profile that alternates along a first axis, substantially all of the peaks being disposed in about a single plane, the prism array including linear prisms (7A), the prism array including curved prism tips (figures 2B, 3B), and curved valleys (figures 3B, 2B) disposed in about a second single plane. With regards to claim 11, to have the material as claimed would have been an obvious matter of design choice which provides no unusual, unobvious and or unexpected result and is therefore deemed to fall within a purview of an ordinary engineering design technique to select the suitable material including polymethyl methacrylate for the light guide since it is known that this material is excellent in mechanical strength as well as refractoriness, and is so transparent that transmittance of a visible ray is superior. With regards to claim 12, the orientation of the elements such as the prism array on top surface adds no positive structure to the claimed invention to patentably distinguish from the structure of the prior art reference and as such no patentable weight is given thereto.

7. Claims 3, 5 to 9 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 27 to 33 allowed.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.  
April 27, 2004



Y Quach Lee  
Patent Examiner  
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